

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

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In the Matter of

An Allocation of Spectrum for the
Private Mobile Radio Service

RM-9267

To: The Commission

Reply Comments on the
Petition for Rule Making
Submitted by the
Land Mobile Communications Council

The Los Angeles Repeater Association

13086 Melrose Ave.
Chino, CA 91710-3149

By: William F. Kelsey
Its Secretary-Treasurer

June 13, 1998

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Executive Summary

The Los Angeles Repeater Association (LARA) respectfully requests that the Federal Communications Commission (Commission) dismiss RM-9267, the Petition submitted by the Land Mobile Communications Council (LMCC). The LMCC petition is nothing more than a spectrum grab and warehousing attempt by a collection of coordinators. Included within this spectrum grab is the ridiculous suggestion that the LMCC would share spectrum with the Amateur Radio Service (ARS) in the UHF band (420-430 & 440-450 MHz). This proposed share is impossible since this ARS spectrum is completely full in the major urban areas of the country and the services are not compatible. This spectrum proposed share really amounts to the removal of additional spectrum from the ARS with no attempt, suggestion, and/or proposal to provide replacement monies, spectrum, and equipment to the ARS, as has been done in the past for other services with the PCS displacements. LARA asserts that the LMCC wishes to only maximize its economic remuneration and remain in business as a spectrum dispenser at great expense to others and does not represent its constituents and members needs as advertised.

REPLY COMMENTS

1. The Los Angeles Repeater Association (LARA) is an unincorporated Amateur Radio Service (ARS) association of amateur radio operators who formed in 1967 and have continued to this day, to construct, own and operate HF, VHF, UHF, & Microwave remotely controlled auxiliary and repeater stations. These multiple stations are located throughout Southern California. Many members of LARA are also professionally involved in the commercial communications industry in Southern California with collective experience totaling many hundreds of man years.

2. In DiPaola Timber Corporation's comments they write at 3. "Simple fact, PMRS users are dollar driven, most will not upgrade to narrower frequencies unless forced. Equipment and channels are available. Granting added spectrum to PMRS users would be rewarding them for failing to migrate to spectrum efficient systems." LARA agrees. These are the same LMCC constituents that argued against fast track movement into the refarming activity that now wish to be rewarded for not upgrading and narrow banding with more spectrum! LARA asks that additional spectrum not be given to a service that has not completed it's original spectrum allocation activity.

3. The UTC, The Telecommunications Association (UTC) writes at A, page 7, "UTC established its Utilities Spectrum Assessment Taskforce (USAT) in April of 1997 and is finalizing the results of its year-long analysis, which will be announced in the near future." And at page 9 sites percent expected need for additional spectrum. Several LARA members, with their professional activities, have participated in providing data to the UTC USAT activity. If the UTC conclusions showing additional spectrum requirements for the utilities industry are based on the data, in the format requested, then the results are flawed. It is the LARA member's contention that the format, data types requested, and the time allotted to provide the information was not commensurate with accurate and real world information.

4. The United States Department of Commerce, National Telecommunications and Information Administration (NTIA) writes at page 3, in a letter from William T. Hatch, "Noting the critical Federal operations in the 420-450 MHz band, it is inappropriate to consider any reallocation of this band." LARA agrees with the NTIA in asking that the LMCC petition be dismissed.

5. The Association of Public-Safety Communications Officials-International, Inc. (APCO) writes at page 2 "Adding substantial numbers of new non-Federal primary users on the 420-450 MHz band, as proposed by LMCC, would significantly reduce the availability of that spectrum for amateur radio operations in emergency situations.APCO strongly opposes any reallocation of the 420-450 MHz band." LARA agrees with APCO in their asking of the Commission to dismiss the LMCC petition as this proposed sharing of spectrum is indeed, flawed, and is not possible.

6. The LMCC petition is a thinly veiled attempt to displace the ARS from 420-430 and 440-450 MHz by offering to share the spectrum with the PMRS as a primary service. LARA is unable to envision any PMRS service, modes, and or emissions that would be compatible with this proposed share. Obviously this is a correct assumption as the LMCC did not supply any examples nor have its constituents provided any information with their comments on this petition. All parties in favor of the LMCC petition are mute to this point. LARA has heard and observed comments from the industry, that what the PMRS really needs is just more analog, voice systems, not new technology, data systems and other advanced type systems. LARA respectfully asks the Commission to direct the LMCC back to their own spectrum and properly utilize it first, before they go shopping from their neighbors.

7. Many comments offered the same information that the 420-430 & 440-450 MHz ARS spectrum is full in the Urban areas. Other comments data agrees with LARA's in that the replacement costs to the ARS service to be displaced and relocated in such major urban areas as Southern California, not addressing the manufactures costs to develop and manufacture new subscriber units will be in excess of \$100,000,000. The Southern California area only represents one of the major urban areas in the country where the LMCC seeks relief.

Conclusion

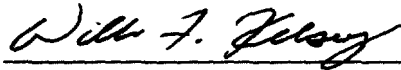
Therefore, for the above reasons, LARA asks the Commission to dismiss the LMCC petition RM-9267 as it is without merit and represents additional hardships, if not the total removal of the ARS 420-430 & 440-450 MHz bands to provide supposed relief to the PMRS. The LMCC nor its constituents with their comments have demonstrated that it has effectively utilized its own spectrum holdings. The LMCC seems to only be interested in continuing its own existence as a spectrum dispenser for dollars and wants additional spectrum, at others expense, to provide for this.

Respectively submitted,

The Los Angeles Repeater Association

**13086 Melrose Ave.
Chino, CA 91710-9149**

By:



William F. Kelsey
Its Secretary-Treasurer

June 13, 1998

CERTIFICATE OF SERVICE

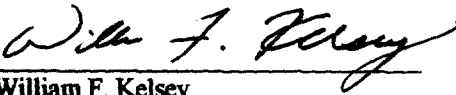
I William F. Kelsey, do hereby certify that I have caused to be sent, this Thirteenth day of June, 1998, by first class mail, postage prepaid, copies of the foregoing to the following:

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